

REMARKS

Reconsideration and allowance of this application are respectfully requested.

I. Summary of Non-final Office Action

Claims 1-17 are pending in the present application.

Claims 1-17 are rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Choi (U.S. Pub. 2002/0118754).

II. Summary of Claim Amendments

In this Amendment, Applicant amends claims 1-5, 7, 11, 14 and 16 to more clearly define the subject matter claimed therein. No new matter is added.

III. Analysis of Claim Rejection

[Claims 1, 3, 7 and 11]

In rejecting claim 1, the Examiner alleges that all three elements of the claimed apparatus (motion estimation unit, system control unit and comparator) are disclosed by Choi.

However, even though Choi's disclosure is directed to a device and method for selecting a coding mode comparing the block-based SAD values with the SAD threshold, Choi, particularly paragraph 23, explicitly describes that the individual SAD values are compared to the predetermined threshold.

On the contrary, the claimed apparatus is characterized in that a predetermined threshold is compared to an optimal SAD which is the smallest SAD among (individual) SADs detected by a motion estimated block.

Therefore, Applicant respectfully submits that the claimed apparatus would not have been anticipated by Choi at least due to the above reason.

Corresponding claims 3, 7 and method claim 11 should also be allowable for the same or similar reason for claim 1.

[Claims 2, 4, 5, 14 and 16]

One aspect of the present invention is that since a coding mode, whether it is to be an intra-coding or an inter-coding, for each motion-estimated block is output after comparison of an optimal SAD of the each block with the predetermined threshold, one bit data representation of the coding mode is possible without storing all SAD values for the blocks constituting an image frame.

Accordingly, claim 2 recites this aspect of the invention. By contrast, however, the cited individual SAD values of Choi are SAD values but not information on a determined coding mode. These values are only used in selecting a coding mode. Thus, Choi does not disclose whether the coding mode information is expressed by one bit.

Therefore, these claims would not have been anticipated by Choi without regard to their patentability due to the claim dependency.

[Claim 6, 8-10, 12-13, 15 and 17]

These claims should be patentable at least due to their claim dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Seunghee Park
Registration No. 60,719

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

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